

PI8580.A09



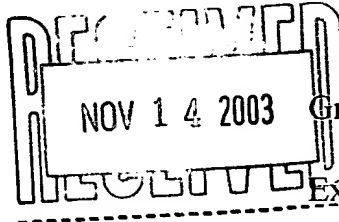
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nobuaki ABE

Appl. No. : 09/488,677 •

Filed : January 21, 2000



Group Art Unit: 2623

Examiner: Jingge Wu

For : IMAGE COMPRESSION AND EXPANSION APPARATUS AND PIXEL
NUMBER INCREASING APPARATUS

**REQUEST FOR CORRECTION OF TIME PERIOD
FOR RESPONDING TO ADVISORY ACTION**

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

The period for replying to the Advisory Action, as indicated on the Advisory Action mailed on October 17, 2003, is incorrect. Specifically, the Advisory Action incorrectly indicates that the period for reply expires 3 months from the mailing of the final rejection. The Advisory Action should have indicated that the period for reply expires on: (1) the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. Accordingly, correction of the time period for responding to the Advisory Action is respectfully requested.

The facts associated with this request are as follows:

M.P.E.P. §706.07(f) specifies that when a reply is filed within 2 months of the date of the final Office Action, the shortened statutory period will expire 3 months from the date of the final

rejection or on the date the Advisory Action is mailed, whichever is later, but that the statutory period may not extend beyond 6 months from the date of the final rejection.

In the instant situation, the Examiner mailed a final Office Action on June 20, 2003. Applicant responded to the final Office Action by filing a Response Under 37 C.F.R. §1.116 on the two month response due date of August 20, 2003. However, the Examiner did not mail the Advisory Action until October 17, 2003, which is after the expiration of the three month shortened statutory period for responding.

Since Applicant filed a response to the final Office Action within 2 months of the mailing of the final Office Action, but the Examiner did not mail the Advisory Action until after the expiration of the 3 month shortened statutory period for responding, the Advisory Action must indicate that the period for reply expires on: (1) the mailing date of the Advisory Action, or (2) the date set forth in the final rejection, whichever is later. Accordingly, the Examiner is respectfully requested to correct the time period for responding to the Advisory Action, and to forward to Applicant a formal indication of the correction.

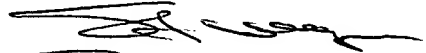
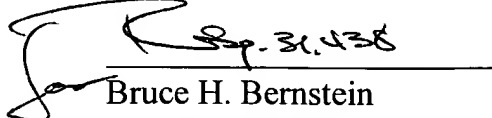
Applicant notes that a Request for Continued Prosecution (RCE) is being filed in this application, along with the required Request for Extension of Time and payment of the appropriate extension of time fee. In view of the above, Applicant submits that the calculation of the appropriate extension of time fee runs from the mailing of the Advisory Action (e.g., from October 17, 2003), and not the mailing of the final Office Action (as incorrectly indicated by the Examiner).

Should there be any question, the examiner is requested to contact the undersigned.

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The U.S. Patent and Trademark Office is hereby authorized to credit any overpayment or charge any additional fee to Deposit Account No. 19-0089.

Respectfully submitted,
Nobuaki ABE



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Reg. No. 29,027

November 11, 2003
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